## REMARKS

I. Introduction

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of February 24, 2009 is respectfully requested.

By this amendment claims 1 and 18 have been amended. Claims 1-11 and 14-19 are now pending in the application. No new matter has been added by these amendments.

II. Prior Art Rejections

Currently, claims 1-5, 8-11, 14, and 17-19 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Arazi et al (US 2001/0041594) and claims 6, 7, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arazi et al. in view of Xu et al. (US 6,151,628).

Claims 1 and 18 are patentable over Arazi et al. and Xu et al., whether taken alone or in combination, for the following reasons. Claims 1 and 18 each require an access control device comprising a communication unit that directly communicates with a resource use device and a resource providing device.

Arazi et al. discloses a wireless private branch exchange (WPBX) including handsets, several base stations, and a switch. In the Office Action, the Examiner asserts that the handset 133 corresponds to the resource use device, the base station 124 corresponds to the resource providing device, and the switch 129 corresponds to the access control device, with a citation to Figure 2 of Arazi et al. (See page 2 of the Office Action.) The Office Action goes on to state that "The claim as written does not limit the connections to be direct connections." (See page 11, item 20 of the Office Action.)

Because claims 1 and 18 have been amended to require that the communication unit directly communicates with the resource use device, Arazi et al. cannot meet the requirements of claims 1 and 18. While this appears to be implicitly admitted by the aforementioned statement on page 11 of the Office Action, it is also clear from figure 2 of the Arazi et al. reference. Because the switch 129 does not communicate directly with the handset 133, the switch 129 cannot constitute the access control device required by claims 1 and 18. Because Arazi et al. does not disclose a communication unit that directly communicates with a resource use device and a resource providing device, Arazi et al. cannot meet the requirements of claims 1 and 18.

Xu et al. is cited for an alleged disclosure of a communication between an access permission unit and a resource providing device. (See page 9 of the Office Action.) Xu et al. does not cure the aforementioned deficiencies of Arazi et al., which relate to communication between the resource use device and the communication unit.

Claims 1 and 18 further require "an access permission unit that instructs the resource providing device...to permit an access from the resource use device." As shown in figure 2, the handset 133 accesses the base station 124 directly. The switch 129 does not instruct the base station 124 "to permit an access" from the handset 133; as such, Arazi et al. does not disclose an access permission unit that instructs the resource providing device to permit an access from the resource use device. The Office Action states, in lines 7-10 of page 3, that paragraph 103 of Arazi et al. discloses this requirement; this passage describes "a request to initiate a new call." Because the handset 133 communicates directly with the base station 124 and does not communicate directly with the switch (as is clear from figure 2), the handset 133 has necessarily already accessed the base station 124 if the switch 129 is receiving "a request to initiate a new call." Moreover, paragraph 103 of Arazi et al. merely describes a decision step in which the

switch either transfers a call to a Gateway, or exits a program; there is no disclosure of an instruction from the switch to the base station to permit access. Because Arazi et al. does not disclose an access permission unit that instructs a resource providing device to permit access from a resource use device, Arazi et al. cannot meet the requirements of claim 1 and 18.

Claims 1 and 18 further require "an access discard unit that instructs the resource providing device via the communication unit to reject an access from the resource use device." The Office Action states, on pages 11 and 12, that Arazi et al. performs this function "by virtue of timeouts." Applicants respectfully submit that the description on pages 6 and 7 of Arazi et al. in which the base station sets a timeout and takes a certain action in the event that the timeout occurs does not constitute an instruction from the switch to the base station. Because Arazi et al. does not disclose an access discard unit that instructs the resource providing device via the communication unit to reject an access from the resource use device, Arazi et al. cannot meet the requirements of claims 1 and 18.

It is thus submitted that the invention of the present application, as defined in claims 1 and 18, is not anticipated nor rendered obvious by the prior art, and yields significant advantages over the prior art. Allowance is respectfully requested.

Claims 2-9 and 19 depend, directly or indirectly, from claim 1 and are thus allowable for at least the reasons set forth above in support of claim 1.

Claim 10 is patentable over Arazi et al. or Xu et al., whether taken alone or in combination, for the following reasons. Claim 10 requires a storage unit that stores information on the resource use device, based on an instruction given by the access control device via the communication unit, as management information, the information on the resource use device including information that identifies the resource use device and that identifies the access control

device which has permitted the resource use device to access.

The Office Action states, at page 4, that this requirement is met by the description in paragraph 83 of Arazi et al. However, the "Base Station Connection Table" described in paragraph 83 is not based on an instruction given by the switch 129. The base station of Arazi et al. does not store information based on an instruction given by the switch, and no disclosure could be found which suggests that the base station of Arazi et al. would be *capable of* doing so. Because Arazi et al. does not disclose a storage unit that stores information on the resource use device based on an instruction given by the access control device, Arazi et al. cannot meet the requirements of claim 10.

Xu et al. is cited for an alleged disclosure of a communication between an access permission unit and a resource providing device. (See page 9 of the Office Action.) Xu et al. does not cure the aforementioned deficiencies of Arazi et al., which relate to a functionality of the resource providing device.

Claims 11 and 14-17 depend from claim 10 and are thus allowable for at least the reasons set forth above in support of claim 10.

In view of the foregoing amendments and remarks, inasmuch as all of the outstanding issues have been addressed, Applicants respectfully submit that the present application is now in condition for allowance, and action to such effect is earnestly solicited.

Should any issues remain after consideration of the response, however, the Examiner is invited to telephone the undersigned at the Examiner's convenience. If any fee beyond that submitted herewith, or extension of time is required to obtain entry of this Amendment, the

undersigned hereby petitions the Commissioner to grant any necessary time extension and authorizes charging Deposit Account 23-0975 for any such fee not submitted herewith.

Respectfully submitted,

Germano LEICHSENRING et al.

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